

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court Eastern District of Arkansas on the following

☒ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 4:12-cv-00492-JMM	DATE FILED 8/8/2012	U.S. DISTRICT COURT Eastern District of Arkansas
PLAINTIFF Multipurpose Civic Center Facility Board for Pulaski County, Arkansas		DEFENDANT Red Dog Media Inc.; Bryce Landier; and Michael Landier
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 2,886,813		See attached Complaint.
2 3,085,712		See attached Complaint.
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK James W. McCormack	(BY) DEPUTY CLERK /s/ Tammy Downs	DATE 8/14/2012
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

AUG 08 2012

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

JAMES W. McCORMACK, CLERK
By: *[Signature]*
DEP. CLERK
PLAINTIFF

MULTIPURPOSE CIVIC CENTER FACILITY BOARD
FOR PULASKI COUNTY, ARKANSAS

v.

Case No. 4:12-cv-492-JMM

RED DOG MEDIA, INC.; BRYCE LANDIER;
and MICHAEL LANDIER

DEFENDANTS

COMPLAINT

Multipurpose Civic Center Facility Board for Pulaski County, Arkansas, for its
complaint, states:

This case assigned to District Judge Moody
and to Magistrate Judge Hearney

I. PARTIES

1. The Multipurpose Civic Center Facility Board for Pulaski County, Arkansas (the
"Facility Board") is an instrumentality of Pulaski County, Arkansas, that owns and operates a
sports and entertainment facility in North Little Rock, Arkansas, commonly known as Verizon
Arena.

2. Upon information and belief, Red Dog Media, Inc., is a Nevada corporation, with
its principal place of business in Henderson, Nevada.

3. Upon information and belief, Red Dog Media, Inc., is operated by Bryce and
Michael Landier.

4. Upon information and belief, Bryce Landier is a resident of Henderson, Nevada.

5. Upon information and belief, Michael Landier is a resident of Henderson,
Nevada.

A TRUE COPY I CERTIFY
JAMES W. McCORMACK, CLERK

By J. [Signature] D.C.

II. JURISDICTION

6. This case involves claims of violations of the Lanham Act and the Anticybersquatting Consumer Protection Act and therefore jurisdiction is proper under 28 U.S.C. §§ 1331, 1338, and 1367.

7. This case involves a matter in controversy that exceeds \$75,000 and involves citizens of different states vesting jurisdiction under 28 U.S.C. § 1332.

III. VENUE

8. A substantial part of the events or omissions giving rise to the claim occurred in Pulaski County, Arkansas and venue is proper under 28 U.S.C. § 1391(b)(2).

IV. FACTS

9. The Facility Board owns and operates Verizon Arena in North Little Rock, Arkansas (“Verizon Arena”).

10. Verizon Arena is a venue for various music, sporting, and entertainment events.

11. Verizon Arena maintains its website at <http://verizonarena.com>.

12. A website with URL address <http://www.verizon.arena-tickets.org> (the “Website”) is being used to market and resell tickets to events at Verizon Arena.

13. Upon information and belief, the Website is part of <http://www.onlineticketorders.com>, which domain is registered to Red Dog Media, Inc., at 2263 Coral Ridge Ave., Henderson, Nevada 89052.

14. According to the Nevada Secretary of State’s website, Red Dog Media, Inc., is operated by Bryce and Michael Landier at 2263 Coral Ridge Ave., Henderson, Nevada 89052.

15. Through the Website Red Dog Media and Bryce and Michael Landier market and resell tickets to sporting, music, and other entertainment events in Arkansas.

16. The defendants specifically use the Website to resell tickets to Verizon Arena in North Little Rock, Arkansas. *See, e.g.,* Exhibit 1.

17. The defendants also use the Website to resell tickets to other venues in Arkansas, including War Memorial Stadium and Robinson Center Music Hall. *See, e.g.,* Exhibit 2.

18. Upon information and belief, the defendants' resale of tickets at prices in excess of regular price is illegal. *See* Ark. Code Ann. § 5-63-201.

19. The Facility Board has not authorized the marketing and illegal sales of tickets through the Website.

20. Defendants are using the name Verizon Arena without permission from the Facility Board and without the permission of Verizon.

21. Verizon is a registered trademark. *See* United States Reg. Nos. 2,886,813 and 3,085,712.

22. The Facility Board is licensed to use the Verizon trademark in connection with Verizon Arena.

23. Verizon Arena is a famous mark.

**COUNT I. VIOLATION OF ANTICYBERSQUATTING CONSUMER
PROTECTION ACT, 15 U.S.C. §1125(d).**

24. The Verizon trademark, as used in connection with Verizon Arena, was distinctive at the time the Website was registered.

25. The Website's domain name is identical in all material ways or confusingly similar to and dilutive of Verizon Arena.

26. Defendants have used the infringing Website in bad faith and with the intent to deceive the public and profit from the name Verizon Arena.

27. Defendants have registered the Website domain name in bad faith and by using a protected mark.

28. Defendants' use of the Website to sell tickets under the appearance that the sale is sanctioned by the Verizon Arena is a violation of the Anticybersquatting Consumer Protection Act, 15 U.S.C. §1125(d).

29. Defendants' violations require divestiture of their ownership in the Website domain name pursuant to 15 U.S.C. §§ 1116 and 1125 with ownership to be transferred to the Facility Board.

30. Defendants are liable to disgorge to the Facility Board all of their profits generated by the Website, all damages sustained by the Facility Board, the costs of the action, and reasonable attorneys' fees under 15 U.S.C. § 1117.

31. Defendants are liable for statutory damages of not less than \$1,000 and not more than \$100,000 for their willful violations of 15 U.S.C. § 1125(d)(1) as provided in 15 U.S.C. § 1117(d).

**COUNT II. VIOLATION OF THE
ARKANSAS DECEPTIVE TRADE PRACTICES ACT**

32. Defendants' use of the Website constitutes an unconscionable, false, or deceptive act or practice in business, commerce, or trade.

33. Specifically, defendants' use the Website to give the appearance that their sale of tickets is sanctioned by Verizon Arena when Verizon Arena does not sanction those sales.

34. Defendants' resale of tickets at prices in excess of regular price is illegal. *See* Ark. Code Ann. § 5-63-201.

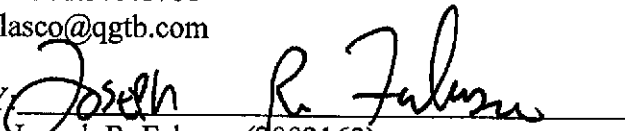
35. Defendants' advertising of tickets and illegal sales in this fashion is deceptive, fraudulent, and presented under a false pretense in violation of law.

36. Defendants' violation of the Arkansas Deceptive Trade Practices Act entitles the Facility Board to damages and reasonable attorneys' fees.

WHEREFORE, the Facility Board prays that the Court enter an order divesting defendants of the use and registration of the Website, transfer the Website to the Facility Board and award the Facility Board damages, statutory damages, costs, attorneys' fees, and all other just and appropriate relief.

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BY



Joseph R. Falasco (2002163)

*Attorneys for The Multipurpose Civic Center
Facility Board for Pulaski County, Arkansas*

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[Snowden Grove Amphitheater](#)
[Orpheum Theatre](#)
[War Memorial Stadium](#)
[Robinson Center Music Hall](#)
[Bancorpsouth Center](#)
[Memphis Botanical Garden](#)
[Black River Coliseum](#)

Change City

[Memphis](#)

#1 **Elvis 35th Anniversary Tribute Concert**

Fedex Forum
August 16 ([view tickets](#))

#2 **Sugarland**

Fedex Forum
August 24 ([view tickets](#))

#3 **Justin Bieber**

Fedex Forum
November 1 ([view tickets](#))

#4 **Brad Paisley, The Band Perry & Easton Corbin**

Snowden Grove Amphitheater
August 17 ([view tickets](#))

#5 **Mississippi Rebels**

Vaught Hemingway Stadium
September 1 - November 24 ([view tickets](#))

#6 **Carrie Underwood**

Fedex Forum
December 18 ([view tickets](#))

#7 **WWE Raw**

Bancorpsouth Center
August 10 ([view tickets](#))

#8 **Jerry Seinfeld**

Orpheum Theatre - TN
August 24 ([view tickets](#))

#9 **Glen Campbell**

Robinson Center Music Hall
September 6 ([view tickets](#))

#10 **Mississippi State Bulldogs**

Davis Wade Stadium At Scott Field
November 17 ([view tickets](#))

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Any use of any venue names, team names, performer names, or trademarks are used only to describe events.
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American Idol Live!	Verizon Wireless Arena - NH Manchester, NH	Saturday 8/18/2012 7:00 PM	View Tickets
Impact Wrestling Live	Stuart C. Siegel Center Richmond, VA	Friday 8/31/2012 7:30 PM	View Tickets
Big Time Rush	Verizon Wireless Arena - NH Manchester, NH	Saturday 9/1/2012 7:00 PM	View Tickets
Rush	Verizon Wireless Arena - NH Manchester, NH	Friday 9/7/2012 7:30 PM	View Tickets
Carrie Underwood	Verizon Wireless Arena - NH Manchester, NH	Friday 9/14/2012 7:30 PM	View Tickets
Ringling Bros. And Barnum & Bailey Circus	Verizon Wireless Arena - NH Manchester, NH	Thursday 9/27/2012 7:00 PM	View Tickets
Ringling Bros. And Barnum & Bailey Circus	Verizon Wireless Arena - NH Manchester, NH	Friday 9/28/2012 7:00 PM	View Tickets
Ringling Bros. And Barnum & Bailey Circus	Verizon Wireless Arena - NH Manchester, NH	Saturday 9/29/2012 11:00 AM	View Tickets
Ringling Bros. And Barnum & Bailey Circus	Verizon Wireless Arena - NH Manchester, NH	Saturday 9/29/2012 3:00 PM	View Tickets
Ringling Bros. And Barnum & Bailey Circus	Verizon Wireless Arena - NH Manchester, NH	Saturday 9/29/2012 7:00 PM	View Tickets
Ringling Bros. And Barnum & Bailey Circus	Verizon Wireless Arena - NH Manchester, NH	Sunday 9/30/2012 12:00 PM	View Tickets
Tyler Perry's Madea Gets a Job	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Sunday 9/30/2012 3:00 PM	View Tickets
Ringling Bros. And Barnum & Bailey Circus	Verizon Wireless Arena - NH Manchester, NH	Sunday 9/30/2012 4:00 PM	View Tickets
Tyler Perry's Madea Gets a Job	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Sunday 9/30/2012 7:30 PM	View Tickets
Journey	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Tuesday 10/9/2012 7:00 PM	View Tickets
Brad Paisley, The Band Perry & Scotty McCreery	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Thursday 10/11/2012 7:00 PM	View Tickets
Casting Crowns	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Saturday 10/20/2012 7:00 PM	View Tickets
Twins of Evil Tour: Rob Zombie & Marilyn Manson	Verizon Wireless Arena - NH Manchester, NH	Sunday 10/21/2012 7:30 PM	View Tickets
Red Hot Chili Peppers	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Thursday 10/25/2012 8:00 PM	View Tickets
Journey	Verizon Wireless Arena - NH Manchester, NH	Saturday 11/3/2012 7:00 PM	View Tickets
Disney Live! Mickey's Music Festival	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Thursday 11/8/2012 7:00 PM	View Tickets
Australian Pink Floyd Show	Verizon Wireless Arena - NH Manchester, NH	Sunday 11/11/2012 6:30 PM	View Tickets
Trans-Siberian Orchestra: The Lost Christmas Eve	Verizon Wireless Arena - NH Manchester, NH	Saturday 11/24/2012 3:00 PM	View Tickets
Trans-Siberian Orchestra: The Lost Christmas Eve	Verizon Wireless Arena - NH Manchester, NH	Saturday 11/24/2012 8:00 PM	View Tickets
Eric Church	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Thursday 12/6/2012 7:30 PM	View Tickets
Trans-Siberian Orchestra: The Lost Christmas Eve	Verizon Arena (formerly Alltel Arena) North Little Rock, AR		View Tickets

EXHIBIT

2

		Friday 12/7/2012 8:00 PM	
Justin Bieber	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Thursday 1/10/2013 7:00 PM	View Tickets
Jeff Dunham	Verizon Wireless Arena - NH Manchester, NH	Sunday 1/13/2013 TBD	View Tickets
Advance Auto Parts Monster Jam	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Friday 1/18/2013 7:30 PM	View Tickets
Advance Auto Parts Monster Jam	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Saturday 1/19/2013 7:30 PM	View Tickets
WWE: SmackDown	Verizon Arena (formerly Alltel Arena) North Little Rock, AR	Tuesday 2/12/2013 7:00 PM	View Tickets
The Who	Verizon Wireless Arena - NH Manchester, NH	Sunday 2/24/2013 7:30 PM	View Tickets
Celtic Woman	Verizon Wireless Arena - NH Manchester, NH	Sunday 3/17/2013 TBD	View Tickets

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This in no way implies any endorsement or partnership unless stated otherwise.

**U.S. District Court
Eastern District of Arkansas (Little Rock)
CIVIL DOCKET FOR CASE #: 4:12-cv-00492-JMM
Internal Use Only**

Multipurpose Civic Center Facility Board for Pulaski
County Arkansas v. Red Dog Media Inc et al
Assigned to: Judge James M. Moody
Cause: 15:1125 Trademark Infringement (Lanham Act)

Date Filed: 08/08/2012
Jury Demand: None
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

**Multipurpose Civic Center Facility
Board for Pulaski County Arkansas**
also known as
Verizon Arena

represented by **Joseph R. Falasco**
Quattlebaum, Grooms, Tull & Burrow
PLLC
111 Center Street
Suite 1900
Little Rock, AR 72201-3325
501-379-1776
Email: jfalasco@qgtb.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Red Dog Media Inc

Defendant


Bryce Landier

Defendant

Michael Landier

A TRUE COPY I CERTIFY
JAMES W. McCORMACK, CLERK

By *J. W. McCormack* D.C.

Date Filed	#	Docket Text
08/08/2012		(Court only) ***Set Magistrate Judge Flag. (kdr) (Entered: 08/09/2012)
08/08/2012	<u>1</u>	COMPLAINT against All Defendants, filed by Multipurpose Civic Center Facility Board for Pulaski County Arkansas. Filing fee of \$ 350.00 paid, receipt #LIT035355; summonses issued and returned to Plaintiff's counsel. (Attachments: # <u>1</u> Civil Cover Sheet)(kdr) (Additional attachment(s) added on 8/14/2012: # <u>2</u> Main Document - Correct) (thd). (Entered: 08/09/2012)
08/14/2012	<u>2</u>	NOTICE OF DOCKET CORRECTION re: <u>1</u> Complaint. CORRECTION: The original document contained an incorrect case number (wrong Judge's

		initials) due to a clerical mistake by the Clerk's office; the correct document was added as an attachment to docket entry <u>1</u> and is attached hereto for review by the parties. (thd) (Entered: 08/14/2012)
08/14/2012	<u>3</u>	REPORT on the Filing of an Action regarding a Trademark submitted by the Clerk of Court to the Director of the U.S. Patent and Trademark Office on 8/14/2012.(thd) (Entered: 08/14/2012)

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
OFFICE OF THE CLERK
600 WEST CAPITOL AVENUE
Room A149
LITTLE ROCK, ARKANSAS 72201**

**JAMES W. McCORMACK
CLERK**

**PHONE 501-604-5351
FAX 501-604-5321**

August 14, 2012

Director
U.S. Patent and Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

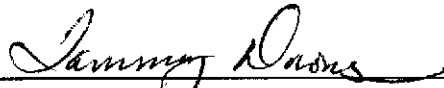
Re: 4:12-cv-00492-JMM
Multipurpose Civic Center Facility Board for Pulaski County, Arkansas v. Red
Dog Media, Inc., et al.

Dear Sir:

Enclosed is Form AO-120 *Report on the Filing or Determination of an Action Regarding a Patent or Trademark* (copy 1), the complaint, and the docket sheet regarding the above-styled case. If you have any questions regarding these enclosures, please call me. Thank you.

Sincerely,

JAMES W. McCORMACK, CLERK

By: 
Tammy Downs, Operations Supervisor

Enclosures

cc: James McCormack, Clerk of Court